

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

GARRETT RAYMOND SAINIAK,	:	Civil No. 3:24-cv-538
	:	
Plaintiff	:	(Judge Mariani)
	:	
v.	:	
	:	
SECURITY LT. NEWBERRY, <i>et al.</i> ,	:	
	:	
Defendants	:	

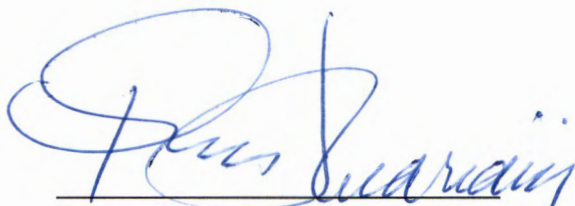
ORDER

AND NOW, this 8th day of October, 2024, upon consideration of the Rule 12(b) motion (Doc. 14) to partially dismiss the complaint by Defendants Wegrzynowicz, Brittain, Lazusky, Maul, and Reese, and the parties' respective briefs in support of and in opposition to said motion, and for the reasons set forth in the accompanying Memorandum, **IT IS**

HEREBY ORDERED THAT:

1. The motion (Doc. 14) to dismiss is **GRANTED with prejudice** as to Plaintiff's claims against Defendants Wegrzynowicz, Brittain, and Lazusky. The Clerk of Court is directed to **TERMINATE** Defendants Wegrzynowicz, Brittain, and Lazusky as parties to this action.
2. The motion (Doc. 14) to dismiss is **GRANTED without prejudice** and with leave to amend as to Plaintiff's claims against Defendants Maul and Reese.
3. Plaintiff may file, on or before October 22, 2024, a proposed amendment to the complaint identifying how Defendants Maul and Reese were involved in the alleged violations of his civil rights, including references to relevant dates, times, and locations.

4. The proposed amendment shall contain the same case number that is already assigned to this action, 3:24-cv-538.
5. The proposed amendment shall be direct, concise, and shall stand-alone without reference to any other document filed in this matter or any other civil matter. See FED. R. CIV. P. 8(d)(1).
6. Failure to file a proposed amendment within the timeframe set forth in paragraph 3 will convert the dismissal of the claims against Defendants Maul and Reese without prejudice to a dismissal with prejudice without the necessity of a further Order of Court.
7. Any appeal from this Order is **DEEMED** frivolous and not taken in good faith. See 28 U.S.C. § 1915(a)(3).

A handwritten signature in blue ink, appearing to read "Robert D. Mariani", is written over a horizontal line.

Robert D. Mariani
United States District Judge